



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

APR - 2 2014

Mr. Phillip Davis, Director
Land Management Division
Alabama Department of Environmental Management
1400 Coliseum Boulevard
Montgomery, Alabama 36130-1432

Dear Mr. Davis:

The purpose of this letter is to solicit the support of the State of Alabama on the listing of the 35th Avenue Site (Site), located in Birmingham, Jefferson County, on the National Priorities List (NPL). The U.S. Environmental Protection Agency has evaluated the Site for releases of hazardous substances, pollutants or contaminants under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The results of the site evaluation confirmed that there has been a release of hazardous substances to soil at the Site, and the EPA believes the Site poses a significant threat to public health or the environment.

The 35th Avenue Site consists of residential soil contamination in the neighborhoods of Collegeville, Fairmont, and Harriman Park in northern Birmingham. The study area is a mixture of residential properties surrounded by industrial facilities historically and currently associated with coke manufacturing, and iron and steel industries. The primary Contaminants of Concern (COCs) are benzo(a)pyrene (BaP), which is a polycyclic aromatic hydrocarbon (PAH), arsenic and lead. These contaminants are found in residential soils as a result of air deposition, surface water run-off and/or placement of contaminated fill. One suspected source of contamination is the Walter Coke, Inc. operation which manufactures foundry and furnace coke as well as coke by-products in 122 coke ovens. Additional potential sources include ABC Coke, and U.S. Pipe; a foundry.

The residential soil study area is approximately 1,000 acres including 2,048 residential, school and park properties. The EPA has sampled approximately 1,099 residential properties where access was received. Approximately 400 properties exceed EPA's Removal Management Levels (RMLs) for one or more COCs. RMLs are used to determine the appropriateness of time-critical removal actions. In addition, there are hundreds more properties contaminated with COCs at levels that may warrant action under EPA's remedial program.

Because the Site area is very large and there are numerous potential industries that have contributed to the contamination, a single, comprehensive assessment and remediation of contaminated residential soils is needed. Long-term action is needed to remediate risks at the Site, and the EPA is only able to obtain funds for long-term remedial actions, or for oversight of private parties performing these long-term remedial actions, if those sites are on the NPL.


The EPA is completing the Hazard Ranking System documentation record for the 35th Avenue Site, establishing that this Site qualifies for the NPL. We are soliciting the State's written support for the EPA to proceed with the NPL listing process for this Site.

This letter, therefore, solicits from the Governor of the State of Alabama, or a delegated representative, the State's position on proposing the 35th Avenue Site to the NPL. Please respond to:

Heather McTeer Toney
Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, SW
Atlanta, Georgia 30303-3104

We appreciate a prompt response so that the EPA may move forward expeditiously in the listing process. In order to stay on schedule to propose the Site in the next NPL update (anticipated to occur in September, 2014), we must receive State concurrence by June 1, 2014. We look forward to working with your staff to promote our common goal of protecting human health and the environment. Should you desire any additional information, please do not hesitate to contact me at (404) 562-8599, or have your staff contact Jennifer Wendel, Region 4 NPL Coordinator, at (404) 562-8799.

Sincerely,



Franklin E. Hill, Director
Superfund Division

cc: Terry Jeng, EPA-OSRTI
Robert Myers, EPA-OSRTI